

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

ANTHONY KAVANAUGH §
VS. § CIVIL ACTION NO. 1:22-CV-22
TEXAS DEP'T CRIM. JUST., ET AL. §

ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Anthony Kavanaugh filed this civil rights action pursuant to 42 U.S.C. § 1983 against the Texas Department of Criminal Justice (TDCJ), Brian Collier, Darren Wallace, Roshanda Pollard, and Wade Michael Newby.

The Court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends granting Plaintiff's request to dismiss Defendants TDCJ and Brian Collier from this action, and denying Defendant TDCJ's motion to dismiss as moot.

The Court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and the conclusions of law of the magistrate judge are correct, and the report of the magistrate judge [Dkt. 13] is ADOPTED. Plaintiff's request to dismiss

Defendants TDCJ and Brian Collier is GRANTED. Defendant TDCJ's motion to dismiss [Dkt. 3] is DENIED as moot.

SIGNED this 16th day of February, 2023.



Michael J. Truncale
United States District Judge